

MEETINGS TO DATE 24  
NO. OF REGULARS 23  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
DECEMBER 3, 1984

A Regular Meeting of the Town Board of the Town of Lancaster,  
Erie County, New York, was held at the Town Hall at Lancaster, New York on  
the 3rd day of December 1984, at 8:00 P.M., and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARINGS:

None:

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

None

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT;

RESOLVED, that the minutes from the meeting of November 19, 1984,  
as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

December 3, 1984

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town of Lancaster is presently entering its third year of a five year lease of two, Xerox 3100 copy machines from the Xerox Corporation, for use in the Town Hall, 21 Central Avenue, Lancaster, New York, in the offices of the Assessor and the Supervisor, and

WHEREAS, the Town Clerk has requested and obtained from the Xerox Corporation a proposal to "trade up" for the remaining three year period of the 3100 leases to a Xerox 2830 Standard Model for the Supervisor's Office and a Xerox 1035 Sorter and Reduction Model for the Assessor's Office, and

WHEREAS, the upgrading of the current copy machines used in the Town Hall would result in increased productivity, especially in the area of communications and minute reproduction because of the sort, stack and reduction modes of the Xerox 2830 Model, proposed for the Assessor's Office,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to lease, for a three year period, the following copy equipment from the Xerox Corporation, which equipment will replace the present two Xerox 3100 copy machines currently in use in the Town Hall:

One Xerox 2830 Standard Model at a cost of \$159.10 per month for 36 months, plus an excess annual use charge of \$.011 for each copy that exceeds 12,000 copies per year.

One Xerox 1035 Copier at a cost of \$263.49 per month for 36 months, plus an excess annual use charge of \$.01 for each copy that exceeds 36,000 copies per year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN MILLER , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 GIZA , TO WIT:

WHEREAS, by letter dated November 16, 1984, Michael H. Wehner, Dog  
 Control Officer for the Town of Lancaster, has requested a transfer of funds  
 in the 1984 Adopted Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following line item transfers be and hereby are  
 effected in the 1984 Adopted General Fund Budget:

	<u>ACCT. NO.</u>	<u>INCREASE</u>	<u>DECREASE</u>
<u>GENERAL FUND</u>			
Control of Dogs - Personal Services	A3510.1		\$6,745.00
Control of Dogs - Equipment	A3510.2	\$1,020.00	
Control of Dogs - Contractual Expenses	A3510.4	\$5,725.00	

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
 COUNCILMAN GIZA VOTED YES  
 COUNCILMAN KWAK VOTED YES  
 COUNCILMAN MILLER VOTED YES  
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA, , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the New York State Electric & Gas Corporation has  
requested an easement from the Town of Lancaster to install a utility pole  
and service wire to the Iroquois Pump Station.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and  
directed to execute an easement for the New York State Electric & Gas  
Corporation for the installation of a utility pole and wire to the Iroquois  
Pump Station as approved by the Town Attorney.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Clerk, by letter dated November 16, 1984, has  
requested authorization to implement an improved dog redemption procedure  
within the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk and the Dog Control Officer of the  
Town of Lancaster be and are hereby authorized to effect redemption of dogs  
within the Town of Lancaster in accordance with the procedures as set forth  
in a letter, from the Town Clerk to the Town Board, dated November 16, 1984.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

December 3, 1984

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 7092 to 7139 Incl.	\$ 78,315.80
Part Town Fund	No. 1079 to 1089 Incl.	\$ 3,647.39
Highway Fund	No. 2657 to 2675 Incl.	\$ 26,380.33
Special District Fund	No. 779 to 779 Incl.	\$ 170.00
Trust & Agency Fund	No. 829 to 834 Incl.	\$ 13,131.89
Capital Fund	No. 729 to 730 Incl.	\$ 24,179.96
Community Development Fund	No. 1203 to 1203 Incl.	\$ 4,318.77
Community Development Fund (Rehab. Escrow Acct.)	No. 148 to 148 Incl.	\$ 600.00
Improvement Facilities Sewer Dist. No. 2	No. 138 to 140 Incl.	\$110,344.79

and,

BE IT FURTHER

RESOLVED, that the claim for \$4,318.77 be and is hereby approved  
and the Supervisor be and is hereby ordered to submit this claim for payment  
from Community Development Project No. 438311, Neighborhood Storm Drainage  
Improvements, and

BE IT FURTHER

RESOLVED, that the claim of applicant and Double Casey Inc., for  
\$600.00, Grant No. 649, Project No. 436312, Bowmansville Neighborhood  
Improvement, Town of Lancaster, has been approved by the Community  
Development Program, and the Supervisor be and is hereby ordered to submit  
this claim for payment from the Community Development Rehabilitation Escrow  
Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984



THE FOLLOWING RESOLUTION WAS OFFERED,  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are  
hereby approved and the issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
266	Josela Enter.	91 Country Pl.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
267	Master Home Improve.	67 Brunck Rd.	EXT. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

WHEREAS, the Receiver of Taxes has informed the Town Board by letter dated November 29, 1984 of the need to collect the Lancaster Central School Supplemental Tax with the 1985 County and Town Taxes, and

WHEREAS, said Supplemental School Tax places an extraordinary burden on his office in coordinating the mailing, separate collection and accounting for said School Tax, necessitating separate collection procedures which can only be accomodated by overtime work by the Receiver and his staff for which the Lancaster School District has agreed to pay the sum of \$2,000.

NOW, THEREFORE, BE IT

RESOLVED AS FOLLOWS:

Section 1. That the offer of the Lancaster School District of the sum of \$2,000.00 for overtime work by the staff of the Receiver of Taxes office be and hereby is accepted.

Section 2. That the staff of the Receiver of Taxes office, exclusive of the Receiver be authorized to be reimbursed for overtime work necessary in the Supplemental School Tax Collection at the rate of time and one-half of the computed hourly rate for this extraordinary collection only, not to exceed the total sum of \$2,000.

Section 3. That the 1985 General Fund Budget be amended as follows:

	<u>1985 GENERAL FUND BUDGET</u>	<u>INCREASE</u>
A510	Estimated Revenues	\$2,000.00
A1232	Tax Collection Fees	\$2,000.00
A960	Budget Appropriations	\$2,000.00
A1330.1	Receiver of Taxes - Personal services provision for overtime	\$2,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 3, 1984

1. Dumping Permit - Philip Antonicelli  
On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner.
2. Dumping Permit - Lancaster Rural Cemetery Association  
On November 21, 1983, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
3. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
4. Public Improvement Permit Authorization - Heritage Hills Subdivision  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center  
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
6. Public Improvement Permit Authorization - Woodview Estates Subdivision  
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
7. Road Acceptance - Pasquale Drive  
On August 1, 1984, the Town Attorney by letter notified the developer what steps must be taken to complete dedication of this road as a Town highway.
8. Traffic Study - Reconstruction, Genesee Street and Ransom Road  
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
9. Traffic Study - Signal, Bowen Road and Broadway  
On February 28, 1984, the NYSDOT issued an order for the installation of a signal at this intersection.
10. Traffic Study - Signal, Bowen Road and William Street  
On June 19, 1984, this matter was referred to the Police Chief for investigation and recommendation.
11. Traffic Study - Speed Reduction, Pavement Road  
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
12. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line  
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.
13. Traffic Study - Speed Reduction, Steinfeldt Road  
On July 10, 1984, the NYSDOT acknowledged receipt of the Town Board's request and indicated that a study will be completed as their caseload permits.

PERSONS ADDRESSING THE TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

836. Asst. Building Inspector to Town Board - Monthly report for 1984.	<u>R &amp; F</u>
837. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 11/19/84.	<u>R &amp; F</u>
838. D.C.O. to Town Board - Request salary increase for himself and Assistant D.C.O. and increase in number of Assistant D.C.O.'s from five to six.	<u>Supervisor for</u> <u>Organizational Meeting</u>
839. D.C.O. to Supervisor - Request transfer of funds.	<u>R &amp; F</u>
840. County Water Authority to Supervisor - Transmittal of letter sent to SUNY @ Albany regarding 54" water main at SUNY @ Buffalo.	<u>R &amp; F</u>
841. Supervisor to County Leg. Budget Committee - Request continued support of Lancaster Opera House Inc.	<u>R &amp; F</u>
842. County Sewer Construction Grants Adm. to Town Engineers - Request copies of Final Plan of Operation connected with Sewer Proj. C-36-390-03.	<u>Engineers</u>
843. County CD Director to Supervisor - Notification of rejection of competitive pool project application.	<u>R &amp; F</u>
844. Supervisor to Four Fire Companies' Presidents - Request copies of budgets for 83-84 and 84-85 fiscal yars.	<u>R &amp; F</u> <u>Supervisor</u>
845. Supervisor to Town Board - Notification of various fund investments during October 1984.	<u>R &amp; F</u>
846. Depew Village Clerk to Town Clerk - Transmittal of resolution rezoning Main St. from R2 to C-1, District Use.	<u>R &amp; F</u>
847. Town Engineers to County Dept. of Environment and Planning - Transmittal of Certification of Bond Insurance from John R. Schuler, Inc., contractor for ECSD No. 4, Contract LT-2.	<u>R &amp; F</u>
848. Planning Board to Town Board - Minutes from meeting held 11/7/84.	<u>R &amp; F</u>
849. County Executive to Town Clerk - Announcement that tentative budget includes request of Buffalo and Erie County Public Library.	<u>Library Board</u>
850. Donald Gallo, Consulting Engineer to Supervisor - Offer of engineering services.	<u>R &amp; F</u>
851. CSEA to Supervisor - Notification of dues increase effective 1/1/85.	<u>R &amp; F</u>
852. County Dept. of Environmental Control to Supervisor - Notice of Progress Report Meeting to be held 12/6/84 at Newstead Town Hall regarding Clarence-Newstead Groundwater Study.	<u>Supervisor</u>

COMMUNICATIONS CONT'D.:DISPOSITION

853. Assembly Minority Leader to Supervisor - Transmittal of Executive Order #48 dealing with Industrial Revenue Bonds with request for comments.	R & F
854. County Sewer Construction Grants Adm. to Town Engineers - Inquiry as to status of grant close-out form relating to A/E Agreements.	R & F
855. Erie & Niagara Counties Regional Planning Board to Supervisor - Comments regarding N.Y.S.'s Intergovernmental Review Program.	R & F
856. County Dept. of Finance to Supervisor's Office - Table displacing error and correction on Town's October Sales Tax distribution.	R & F
857. County Off. of Criminal Justice Planning to Supervisor - Transmittal of proposed agreement regarding 1984 Stop-DWI Law Enforcement Component.	Supervisor for Signature
858. Lovell Safety Management Co. to Supervisor - Advisement concerning medical costs within legal limits.	R & F
859. Fox & Co. to Highway Supt. - Notification of procedures to be followed concerning Traffic Control Budget.	R & F
860. Town Clerk to Zoning Board Members, Deputy Town Attorney and Building Inspector - Transmittal of variance petition of Thomas C. Krombach.	R & F
861. Receiver of Taxes to Town Board - Request approval to combine mailing of school tax with County tax bill.	Town Attorney for Suspended Resolution
862. Receiver of Taxes to Town Board - Request authorization to hire part-time help.	R & F
863. Town Engineers to Town Board - Request course of action to be taken in regards to incompleteness of requirements by CMH Co. and Anatasia Trucking with sewer project contracts.	Town Attorney for letter to contractor
864. Planning Board to Town Board - Minutes from meeting held 11/21/84.	R & F
865. Planning Board Chairman to Lancaster Rural Cemetery Assoc. - Request status of dumping permit request.	R & F
866. County Dept. of Environment and Planning to Residents - Notification of open information meeting to be held 12/12/84 at Town Hall regarding construction of ECSD No. 4, Contract No. 6.	R & F
867. Aurora Town Clerk to County Legislature - Transmittal of resolution opposing tax proposal.	R & F
868. Niagara River Quality Advisory Group to Supervisor - Notice of public information meetings to held regarding river's toxic contamination.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

869. Receiver of Taxes to Lancaster Central  
School District No. 1 -  
Confirmation regarding collection and  
processing of 1985 supplemental school tax.
870. D.C.O. to Town Board -  
Monthly report for November 1984.
871. Supervisor to Highway Supt. -  
Request removal of equipment located in  
southeast storage garage.
872. Assoc. of Erie County Governments to  
Supervisor -  
Notice of meeting to be held 12/13/84 in  
Orchard Park.
873. Jones Intercable to N.Y.S. Cable Television  
Commission -  
Transmittal of correspondence relative  
to cable installation in Evergreen Hills  
Subdivision.
874. Assemblyman Paxon to Supervisor -  
Request comments on proposed "Welfare and  
Medicaid Reform Package."

R &amp; F

R &amp; F

R &amp; F

R &amp; F

R &amp; F

R &amp; F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

ANTHONY CIECIEREGA ✓

MARGARET HARRIGAN

GEORGE KINKEAD

ROY NICTER ✓

FRANK SWIST

Signed

*Robert P. Thill*

Robert P. Thill, Town Clerk